

REMARKS

This is in response to the official action dated May 20, 2003.

By amending the claims with the limitations "somatic" and "non-aggregated", applicant believes to have overcome the 112 and 101 rejections, because sex cells (fertilized or not) are excluded from the claims by the use of the limitation "somatic", and any form of human life which is a multicellular organism, in which the cells may be considered as "aggregated" is excluded from the claims by the combined limitations "suspended" and "non-aggregated".

Support for "somatic" is found in the specification both by way of the numerous examples of somatic cells (see language of claim 72), and by the intended exemplary use of the invention in somatic gene therapy. In one of the Interviews held with respect to this case, the Examiner has agreed that the term "somatic" is supported by the specification.

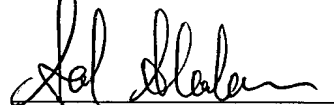
Support for "non-aggregated" is found in the Examples section, reciting in numerous location that cells were trypsinized, centrifuged (pelleted) and then resuspended, inherently resulting in the cells being non-aggregated and in suspension.

The Examiner's attention is drawn to page 45, further describing the procedure:

Group 4: Heparanase was adhered to B16-F1 cells: 3×10^6 cells were plated in 8 ml of antibiotic free DMEM supplemented with 10 % FCS. Following 24 hours of incubation, 80 μg of recombinant heparanase from baculovirus (final concentration of 10 $\mu\text{g}/\text{ml}$) were added to the cell culture, and incubated for 2 hours at 37 °C. The plates were then washed twice with PBS, harvested by very short trypsinization, washed with PBS, and resuspended in PBS at 2.5×10^5 cells/ml (total of 10^6 in 4 ml for 10 mice). Aliquots were prepared: 2 x 1.5 ml, 1 x 1 ml in 2 ml screw cap tubes. (Emphasis added)

In view of the above amendment to Claim 71, the allowance thereof, along with dependent Claim 72 is deemed to be in order, and such action is respectfully requested. The Examiner is invited to call the undersigned at (703) 415-1581 to resolve any unresolved matters.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sol Sheinbein', written over a horizontal line.

Sol Sheinbein

Registration No. 25,457

Date: August 14, 2003.